

PG
Return to:
Pacific Power
PO Box 728
Klamath Falls, OR
97601-0321

RC:41360 WO:01192247

97 JUN 27 P3:30

UNDERGROUND DISTRIBUTION RIGHT OF WAY EASEMENT

For value received, TRAIN MOUNTAIN FOUNDATION (Grantor) hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns (Grantee), an easement for a right of way 20 feet in width for the construction, reconstruction, operations, maintenance, repair, replacement, enlargement, and removal of underground electric power distribution lines, communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, vaults and cabinets; and the right to excavate and refill trenches therefor; along the general course now located by Grantee on, over or under the surface of the real property of Grantor in Klamath County, State of Oregon, more particularly described as follows or as more particularly described and/or shown on Exhibit(s) A attached hereto and by this reference made a part hereof:

Said property generally located in the SE 1/4 SW 1/4 of Section 4 Township 35 S, Range 7 E, of the Willamette Meridian, and more specifically described in Volume 87 Page 682 in the Official Records of Klamath County.

Assessor's Map No.35-07-04 Tax Parcel No.300

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefor) the future right to keep the right of way and adjacent lands clear of all brush, trees, timber, structures and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor erect or permit the erection of any buildings or structures of any kind or nature within the right of way without the prior written consent of Grantee, or light any fires, or place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for roads, agricultural crops and other purposes not inconsistent with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns; and this easement shall terminate if and when Grantee shall have abandoned all use of the right of way and no longer has any future need therefor.

